



SOMERSET TOWN JOURNAL



Volume 57 • No. 9

Date of Publication: February 17, 2011



All Are Invited To The St. Patrick's Day Brown Bag Lunch

By Mayor Jeffrey Slavin

We have set the quarterly **Brown Bag lunch** for
Thursday, March 17 from Noon to 1:00 p.m. at

Town Hall. As usual, Council members and I will attend to answer questions and listen to your ideas. There will be much to discuss as we begin Somerset's budget season. We can also celebrate the **St. Patrick's Day** holiday, so perhaps all attendees will keep that theme in mind. As usual, we ask that you bring a sandwich or dish to share. We will provide soft drinks, ice, and utensils. If you have questions, call me at **301-654-6767**.



Steel Pool House Structure Being Erected on New Concrete Foundation.

pressing hard to stay on track, and is still cautiously optimistic that they may be able to make up for some of the delays to get closer to the original planned May 6 completion date.

The following work has been completed over the past month (January):

- **Field stone installation** for the new planter and BBQ station

continued on page 4

Pool Project Update:



Finally Out Of The Ground!

By Alan Proctor, Contract Officer and Council member



Installation of Steel Supports has Started.

The pool facility renovation project is finally at the point where underground foundation work is complete and the aboveground work of erecting the new pool house has started. It has been a long haul, with a lot of work required that you do not see walking by the site, plus complications of poor weather and poor soils that slowed the project by several weeks. Finally, we are out of the ground. Progress will be a lot more visible from here on out. Contractor **Therrien Waddell** estimates that *"we're about four to six weeks behind at this point from where they had initially hoped to be,"* and the

Town has officially extended the completion date by two weeks, from **May 6 to May 20**. However, the contractor hopes to start making up for lost time, will be

Calendar

Monday, March 7

Council Meeting

Monday, March 14

Council Work Session on Budget

Thursday, March 17

St. Patrick's Day Brown Bag Lunch

Monday, March 21

MVA Mobile Office

Tuesday, March 22

Voter Registration Deadline

Don't forget to check the Town website throughout the month for an up-to-date calendar. Go to www.townofsomerset.com and click on **Town Calendar**.



On My Mind

By Mayor Jeffrey Slavin

Pepco On The Line

We are all angry about the **poor service** we have received in the past several years from our sole-source power company, especially during the late **January thunderstorm** when many had no lights or heat for up to four days. Many of our residents have lived in developing countries, and their unflattering comparisons ring true, with some justification. It is unimaginable that this is happening to us in the **USA** in **2011**.

During the recent crisis, **the Staff, Council**, and I did everything possible to make people more comfortable, **provide access to information, lobby Pepco for repairs, and facilitate transportation**. Frustration levels were at their peak and people's lives were at stake. Moreover, as we learned in the media before and after the events, it probably should never have happened. It appears that the leadership of the public utility is more interested in ensuring profits for shareholders than in providing the type of excellent service we all deserve. Furthermore, I think we are all tired of blaming line employees and especially, our beloved trees.

It is a shame that such a large number of citizens feel forced to go out and purchase generators that are noisy, unattractive and take a large bite out of pocketbooks. It would be much better if **Pepco** got their act together—and fast.

There have been many wonderful ideas proposed to us at Town Hall by phone, email and on the **list_serv** to deal with this challenging issue. It also appears that our **County and State officials** are going to make better power service a priority, with legislative proposals forthcoming. Neighboring municipalities and civic associations have expressed an interest in getting involved. Some have even suggested legal action.

Because there are many directions the Council and I could take, and because there are so many questions to answer, I will be appointing an **ad hoc Committee on Pepco issues**, so a small group can advise the Town on what steps to take and what information is needed. I also would anticipate this Committee would help sponsor a public hearing or two.

Now is the time for us to harness our collective energy and make an impact on necessary changes at the power company and in the oversight process. I know our Town can truly provide some of the leadership needed.



In This Issue

Brown Bag Lunch	10
Council Activity	8
It's Budget Time	3
Latest News from Town Hall	5
Legislation	8
Mayor's Desk	7
On My Mind	2
Permits Granted	6
Pool Committee Report	4
Pool Project Update	1
Preliminary Agenda	12
Rethinking Pool Guest Fees	11
Security Committee Report	4
Somerset Sing-a-long and Follies	3
Tree Removal Permit Application Fee	11

The **Town Journal** is the official publication of
The Town of Somerset, Montgomery County, MD.
Post Office address: 4510 Cumberland Avenue, Chevy Chase, MD 20815
www.townofsomerset.com

Please let us know if you prefer to receive the Journal via email.
Please provide your email address to the Editor at maxinea@comcast.net.

MAYOR

Jeffrey Z. Slavin, 5706 Warwick Place
301-654-6767
Town Hall Telephone: 301-657-2229
mayor@townofsomerset.com

MEMBERS OF THE TOWN COUNCIL

Marnie Shaul, Council Vice President
5509 Uppingham Street
301-913-5973
mshaul@townofsomerset.com

Bill Farley, 4814 Grantham Avenue
301-961-5987
bfarley@townofsomerset.com

Cathy Pickar, 4915 Dorset Avenue
301-907-4881
cpickar@townofsomerset.com

Alan Proctor, 4900 Cumberland Avenue
301-652-4717
aproctor@townofsomerset.com

Barbara Zeughauser, 5412 Trent Street
301-951-8560

bzeughauser@townofsomerset.com

CLERK-TREASURER

Josh Russin
301-657-3211
clerk@townofsomerset.com

TOWN ARBORIST

Barb Neal
arborist@townofsomerset.com

TOWN CODE ENFORCEMENT OFFICER

Larry Plummer
larry.plummer@townofsomerset.com

TOWN HALL

Open: 9:00 a.m. to 4:30 p.m.
Monday thru Friday
301-657-3211
Fax: 301-657-2773
TTY users call Maryland Relay

Maxine Finkelstein, Editor

Deadline for ads and copy is the 15th of the month at 4:30 p.m.



It's Budget Time in Somerset

By Marnie Shaul, Council Vice President

It is time for Somerset to begin **the annual budget process**. For those of you who want to follow this closely, I am presenting what you can expect to see over the next couple of months, and how you can participate

At the meeting on **March 7**, the **Mayor** will present a **5-year fiscal plan**. This is required under the **Town Code** and represents a **"big picture"** look at where we are going. However, it is not a legal document; the Council does not approve it. Residents will have access to the 5-year fiscal plan on the Town's website, and it will be published in the **March issue** of the **Town Journal**.

In March, the Mayor and the Council will begin more detailed work to develop the **Fiscal Year 2012 (FY12) budget**. Somerset's fiscal year runs from **July 1, 2011** to **June 30, 2012**. As we did last year, the Council will have a work session to review every element in the budget. The work session will be held on **Monday, March 14**, and starts at **6:00 p.m.** Thanks to the hard work of our Clerk Treasurer **Josh Russin**, Assistant **Nicole Ventura**, and Council member **Cathy Pickar**, the Town's annual budget is now shown in much more detail, so it's clear what is in each major revenue or expense category. Residents are welcome to attend the meeting, but their participation will be limited since it is a Council work session. Residents will be able to see what the Council is doing with various elements of the budget because we'll be using the technology Council Member **Alan Proctor** introduced last year—a large screen—on which the budget and potential changes are projected.

Developing a solid FY12 budget is an important exercise since the budget lays out both our **day-to-day expenses** in an operating budget, as well as Somerset's plans for investing in its infrastructure, such as paving our streets, in a capital budget. It appears that Somerset will be receiving a similar amount of revenue for FY12 as we did in FY11, so it is likely that any additions to the operating budget will need to be offset by reductions elsewhere in the operating budget.

The FY12 budget developed in March will be introduced at the Council meeting on **April 4**. Residents will be able to view this budget on the web site, and printed copies will be available at the meeting. Residents are encouraged to make suggestions or raise questions during April prior to the Council adopting the budget at its meeting on **May 2**. Residents can email the mayor and Council with their questions and comments throughout April. They can also submit letters to the Town Journal by **April 15**. At the May Council meeting, the Council can amend the budget presented in April in order to respond to residents' comments or to new information about projected expenses or revenues. The budget adopted at the May Council meeting governs spending over the **FY12 year**.

Somerset Sing-a-Long and Follies

By Jeanette Kreiser, Falstone Avenue

After the frustrations of a dark and cold January week, residents of Somerset and nearby communities found light and warmth at **Winter Light**, the first **Annual Somerset Sing-a-long and Follies**. **"More music!"** cried 2-½ year old

Shayna. Although she did not understand the witty lyrics from **"Once You Have a list_serv"** depicting **list_serv (mis)communications**, or



the intricacies of Somerset Town politics parodied in **"I've Got a Little List,"** she sensed the camaraderie and

joy in the hall. Judging from the audience reaction, her elders shared her assessment of the event, as the **Somerset Singers** and the audience lit the room with their spirited music.

Council member **Catherine Pickar** led the Somerset Singers in a spirited and accomplished performance. **Pepco** was **vilified**, Council proceedings were **satirized**, and our **list_serv** was **humorously skewered**. Somerset residents **David Batson** and **Bob Kreiser** entertained us by sharing their list of prominent members of the community, including the Mayor and some Town Council members, who **"might be not missed"** from our community. **David Batson** and **Pat Dolan** provided the guitar accompaniment to the final number of the evening, **Teach Your Children Well**.

The Somerset Singers met their goal of building community spirit, along with enjoying singing and getting to know members of our community.

We are happy to have additional singers join us. We usually meet two Sunday afternoons each month for **1-1/2 hours** of singing. If you wish to become a member, or have additional questions about the Somerset Singers, send an email to **somersetsingers@yahoo.com**.



Sing-a-Long

- **Masonry foundation walls** for the new addition
- **Foundation drainage** for the new addition
- **Wading pool structure and piping rough in** (though the final finish coat and perimeter tiling for the pool is deferred until nearer to completion of the project to ensure that they are not damaged during the remaining construction)
- **Elevated slab** over the basement storage room installed
- **Electrical rough in** for the incoming telephone/data service into the basement installed
- **Structural steel installation** has begun.

The following work is planned for the coming month:

- **Backfilling** of the basement wall addition
- **Completion** of steel framing
- **Installation** of wood framing
- **Installation** of wood trusses and roofing
- **Installation** of interior masonry partitions
- **Rough in** of additional mechanical, electrical, and plumbing services
- **Wiring infrastructure** for the entire building

On a parallel track, the Council has also completed final selection of interior finishes and tile materials.

Project Manager **Geert Visscher** says that he sees this *“as an exciting time of the project where we will really begin seeing the new pool house coming into form”*—and we can’t wait! By next month, we are going to have the basic structure up and a roof overhead.

For more information and pictures on the project, please see the project link from the Town website or directly accessible at <http://townofsomerset.proctors.us>.



Pool Committee Report

By Barbara Condos, Chairperson, Pool Committee

Georgetown Aquatics, our pool management company for the upcoming season, has begun their summer hiring process. Applications are available on their website, georgetownaquatics.com.

The Pool Committee is looking for a youth representative. Please contact the Town Hall for application information if you are interested.

The Pool Committee will not meet in February.

Security Committee Report

By Birdie Pieczenik, Chairperson, Security Committee

It was a beautiful Sunday afternoon, lovely enough for me to break from work and go for a walk to a friend’s house on **Falstone**. And there, all around me was this security column.

My friend’s house gave me my first clue. Pressing the doorbell and looking through her front door (clear windowpanes); I spied several **\$5 bills** sitting on a stairway, in grabbing distance if the door had been open. Across from the money was a rack with several **sets of keys** on the hooks. My friend was not home, but her home was ripe for the taking.

Farther up the street, a **Sunday newspaper** still sat on a step at **5:30 p.m.** Anyone could see that no one had been home.

Continuing on, an **8-foot ladder** rested against a column on a front porch. No one was home and anyone could have used it to reach a roof in front of the second floor windows.

Last, a wonderful old **child’s red wagon** sat on a front lawn next to several other children’s playthings. I doubt the money value of the items was significant if the family came home to find them gone, but it would be upsetting to that family.

Have I made my point? Spring is coming, and along with it will come cruisers looking for crimes of opportunity. Don’t give it to them!

The only crime reported this month was copper piping stolen from the exterior of **Somerset Elementary School**, and a few citations issued for stop sign, parking, and cell phone violations.



Security Committee Report

Latest News From Town Hall

By Josh Russin, Clerk-Treasure



Tax Season is Approaching—Remember: 'TOWN OF SOMERSET'!

Somerset's largest source of revenue is a portion of the State income tax paid by Town residents. Unfortunately, Somerset will not get its share of income taxes unless its name

Town of
Somerset
Here

appears on the Maryland income tax form in the box marked, "City, Town or Taxing Area." Please do not forget to complete this section when filing your taxes.



Town Election 2011—Voters Have The Opportunity to Select Three Council Members

Town residents have an opportunity to exercise one of their civic duties by voting in the upcoming Town elections! **Election Day** is **Tuesday, April 5**, from **5:00 p.m.–9:00 p.m.** for three Council Members. At the **Monday, March 7 Council meeting**, nominations for the incumbents and other candidates will be accepted for the two-year terms. Additional nominations may be made if twenty registered voters file a petition with the **Clerk-Treasurer** no later than **4:00 p.m.** on **Tuesday, March 15**. The Town Charter requires its elected officials to be:

- **Citizens** of the United States
- **Residents of Somerset** for at least 18 months preceding the election
- **Qualified voters** in the Town of Somerset and the State of Maryland

Voter Registration deadline is **Tuesday, March 22** (registration closes 14 days before Election Day). A member of the **Board of Supervisors of Elections** will be at Town Hall from **7:30 p.m. to 9:00 p.m.** on **Tuesday, March 22** to register new voters. Residents can register directly at the Town Hall Monday through Friday from **9:00 am to 4:30 pm** or by mail by sending completed registration forms to **4510 Cumberland Avenue**. The Town has registration forms at the Town Hall. Please contact the Town staff if you need a form mailed to you at clerk@townofsomerset.com or at **301-657-3211**. If you are a registered voter in

Montgomery County, you are eligible to vote in the Town.

To be a qualified voter in Somerset, a resident must be:

- **At least 18 years old** by April 5, 2011
- **A resident of Somerset** for 14 days preceding the election (in this case Tuesday, March 22)
- **A citizen of the United State or an alien legally authorized** to reside in the country
- **Registered to vote** in the Town of Somerset and/or Montgomery County.
- **If an election is contested**, a candidates' forum will be held at the Town Hall on **Wednesday, March 30** from **7:30 p.m.–9:00 p.m.** Currently, Council Members **Barbara Zeughauser, Bill Farley, and Marnie Shaul** are up for reelection.

Generators



The number of residents applying for generator permits has increased over the

past couple of months. Because of the number of residents applying for generator permits, and the increased interest on the part of the residents, the Town would like to remind residents about the Town's guidelines for generators, air conditioners, and heat pumps.

Here is some information you need BEFORE you install a generator, air conditioner, or heat pump:

1. Ask your contractor if the device will meet the **Montgomery County** nighttime noise level of **55 decibel (dBA)** levels at the nearest property line. If the contractor informs you that the noise produced from the device exceeds 55 dBA, noise

continued on page 6

buffering devices such as fencing, insulation, or sound blocking material, such as produced by **Auralex Acoustics**, which makes a sheet block vinyl material that can be applied to walls. These materials may be a viable option to bring the noise to the allowable nighttime level of 55 dBA. The Town also has a list of contact information for 23 acoustical engineering consultants on the Town website, <http://townofsomerset.com/administrative-services/permits-regulations/> at the bottom of the Building and Construction sub-heading.

2. There are many variables and factors in achieving the allowable night-time noise level of 55 dBA, including existing fencing, walls, landscaping, placement of the device on the property, and its distance to the nearest property line. The Town guidelines allow the applicant the ability to devise a sound mitigation plan that will bring the device into compliance.
3. The Town requires devices to meet the nighttime standard and will require sound buffering if they do not meet the County standard. The Town will hold the **\$2,000 refundable** building deposit until the generator, air conditioner, or heat pump meets the 55 dBA specification.

Information needed when you submit your generator, air conditioner, or heat pump permit application:

- **Town Building Permit**
- **Neighbor signatures** (you are informing the neighbors about the project)
- **Copy of the County building permit**
- **Site Plan** including:
 - Front, side and rear set-backs for proposed construction
 - Location of new/replacement device

- New fences and walls (this requires a separate application)
 - Photo of house
 - Permit fee of \$50
 - Refundable deposit of \$2,000
- The Town is working with **County, State**, and representatives from Pepco to end the frequent of power outages the Town experiences.

Copper Theft

The Town would like to inform residents that copper downspouts were stolen from the exterior of **Somerset Elementary** in mid-February. We encourage you to report any suspicious activity by **dialing 911**. It is presumed the theft took place in the evening.

Parking along Town Streets

The Town reminds residents not to park unregistered vehicles or cars with expired tags on public streets. **Montgomery County Police** will be ticketing residents for this violation.

2011 User Fees

The Mayor and Council have not set the **tennis court, batting cage, and swimming pool** user fees for the **2011 calendar year**. These fees will be set in the next couple of months.



Calendars

2011 League of Women Voters calendars are available at the Town Hall.

MVA Mobile Office

The **MVA's mobile office** will be in Friendship Heights on **Monday, March 21** from **10:00 a.m. to 2:00 p.m.**

Permits Granted



The Mayor issued the following permits during the past month. (The Town Council approves Building permits).

Tree Permits

Torie Clark and **Brian Graham** requested the removal of two **15" Canadian hemlocks** located at **4728 Dorset Avenue**. Town Arborist recommended trees for removal. Trees were uprooted during a snowstorm. Two trees will be replanted in kind.

Josh Freeman and **Kathy Toomey** requested the removal of a **10" Canadian hemlock**, located at **5702 Warwick Place**. Town Arborist recommended tree for removal. Tree was split in half during a winter storm.

Mrs. John Stewart requested the removal of an **8" Northern red oak tree**, located at **4823 Dorset Avenue**. Town Arborist recommended tree for removal. Tree is dead.

continued on page 10



By Mayor Jeffrey Slavin

“Eagle-eye” Council Member **Alan Proctor** (Cumberland) called me in a panic one day this month to say that there was a **Pepco** crew on **Cumberland** changing all of our streetlights to **high-pressure sodium**. As most know, the Town is part of a **pilot project** for **LED** and other newer technology lights and a final decision on what we will get is probably months away.

Fortunately, my quick call to **Charles Washington** of Pepco resulted in the crew stopping this work almost immediately and an admission that they were sent in error. Apparently, the rest of the streetlights in our grid—outside of Somerset—are indeed being correctly replaced but someone forget to tell this crew that **Somerset** was not included. The moral to the story is that it pays to have hard working Council members and a good working relationship with the power company! Along that line, I regret that anyone in Town lost power during the recent **snowstorm** and it is more unfortunate that about **25 percent** of us had no electricity for about three days. **The Staff, Council**, and I did everything in our capacity during that time to get a Pepco crew assigned to our municipality. Among other things, we contacted our government affairs reps, **County** and **State officeholders**, participated in daily conference calls with the Pepco president, and drove around looking for power company trucks in the area. Eventually, by Saturday, I spent a lot of the day back and forth on the phone with **Kim Watson** of Pepco and she was able to get some workers to our site. In addition, this was after we were told that there was no guarantee for restoration until late Sunday or beyond. I also want to publicly thank **Zola Schneider** (Warwick) and her **Helping Hand** group for dispatching four wheel drives, answering questions, and helping those in need find warm environments. It is great to have such dedicated volunteers.

Because of **budget limitations** and the **large amount of snow** this season, and after consulting with Council members, I was forced to **suspend temporarily** the **10-year-old policy** of the Town to clear the sidewalks of snow whatever the snowfall amount. **The Code** actually only requires that snow be cleared when there is more than two inches of precipitation. As a result, there has been a lot of public discussion about this and I thank everyone for weighing in. I deeply respect your opinions. However, it is my belief that clearing of sidewalks is an essential service and something with which residents should not be burdened. We can find other ways to economize.

I am pleased that our **Town list_serv**, which is private, but was started with the blessing of the Council and myself, has become so popular and useful. I have been posting on it at least once a week, and often more frequently. I do need to remind everyone (again), though, that this list_serv is not the official way to communicate with **Town Staff** about maintenance problems. **Josh** and **Nicole** only monitor it occasionally and often that would be too late to fix something. I read my list_serv email quickly and do forward service requests on to staff—but I strongly recommend that folks always email directly to Town Hall at clerk@townofsomerset.com. We can respond faster that way.

Almost daily, I get a complaint that someone is walking a dog **unleashed** in Town, and I have seen a number myself. As everyone knows, this is against the law. We have alerted **Town police**, but we do not have enough officers to see all the violations. I ask anyone who notices this type of activity to confront the owner, because **peer pressure** is often the most successful way to solve situations like this. However, I am also happy to handle these directly and everyone is welcome to report these sightings to me. In fact, I have developed a new way to deal with them.

Earlier this month, I attended the annual **Maryland Mayors Association Winter Conference** in **Annapolis**, where among the activities on a heavy agenda we learned a great deal about how to lobby the legislature more effectively. We also heard a keynote address from Attorney General **Doug Gansler**, received a report from the Office of Senator **Barbara Mikulski** on the constituent services her office provides, and enjoyed a reception with the Governor at his official residence. With the untimely death of Barnesville **Mayor Pete Menke**, I have become the Acting Treasurer of the organization and will be running for that office this summer so **Montgomery County** will continue to have strong representation in the MMA leadership.

From The Mayor's Desk



Legislation

At the February 7, 2011 meeting, the Council passed the following Town Code ordinances:

1. Somerset Code Chapter 5, Parks and Recreation, Article IX, Parks and Natural Resources Committee, Section 5-901. The Mayor and Council wanted to clarify the membership terms and responsibilities of the Parks and Natural Resources Committee (PNRC). The adopted ordinance removed in its entirety the language found in Section 5-901 and replaced it with new language. "The new language will allow the Mayor to appoint, with Council approval, nine residents to serve on the Committee." The initial terms will be staggered. The initial term of any member less than three years will not be counted toward the two consecutive term limit. One council member will be selected as a liaison to the Committee and an additional council member will be selected as an alternate liaison. Both council members will not count as one of the nine members. The PNRC's responsibilities include educating the Mayor and Council on reforestation issues in Vinton Park, prepare a plan to maintain newly planted Town trees, continue to study the Town's monoculture plan, the landscape plans for Town property, and any budget recommendations. Amendment goes into effect March 22, 2011.

At the February 7, 2011 meeting, the Council passed the following resolutions:

1. A resolution to permit the Somerset volunteer neighbor assistance program, Helping Hand, its volunteers, and the Somerset residents they serve use of the Town Hall premises during power outages for a Social Hour between the hours of 5:00 p.m to 8:00 p.m.
2. A resolution calling for the County Executive and Council to continue to distribute 17 percent of the County income tax receipts from County residents who live in municipalities. This resolution was adopted because of a County staff report proposal to cut County income tax payments to Montgomery County towns and cities. This proposal requires a change in State law.

Council Activity

At the February 7 regular Council meeting, the Town Council:

1. Approved the minutes of the January 3, 2011 regular meeting. Vote: Unanimous. Motion passed 5-0.
2. Approved the minutes of the January 13, 2011 special meeting. Vote: Unanimous. Motion passed 5-0.
3. Approved the minutes of the January 13, 2011 special meeting. Vote: Unanimous. Motion passed 5-0.
4. Approved the minutes of the January 24, 2011 special meeting. Vote: Unanimous. Motion passed 5-0.
5. Discussion of financial report. The Clerk-Treasurer introduced the financial report. According to information provided by the County, the Town has collected 98 percent of budgeted property tax revenues for the fiscal year, while seeing an 11 percent decline in budgeted income tax revenues from the State. The Town has received 27 percent of the budgeted income tax revenues. The Town should receive an income tax revenue update from the Comptroller's Office; Town expenditures are within spending levels for this period of the fiscal year.
6. Update on pool house renovation project. Pool house renovation contractors, Jerry Therrien, Geert Visscher, and Town project manager Lou Balodemas provided an update to the Mayor and Council.
7. Suggestions and questions from residents. Two residents provided comments to the Town Council.
 - Marc Geffroy commended the Mayor and Council's efforts to work with Pepco during the late January snowstorms. Mr. Geffroy encouraged the Town to become more self-reliant suggesting the Town could help the community reach this goal by assisting residents during the emergency generator permit process.
 - Joe Barse encouraged the Mayor and Council to continue distributing paper copies of the Town Journal. Mr. Barse offered his public feedback as a result of an editorial published in the January Town Journal regarding the merits of a paperless Journal.
8. Fact-finding hearing and action on application by Sherry Bindeman and David Kahn, 4715 Essex Avenue, to install an emergency generator at the residence. Vote: Unanimous. Motion passed 5-0.
9. Fact-finding hearing and action on application by Nicole Totah & Josh Rosenthal, 5409 Surrey Street, to fill in gap between the house and the addition and enclose existing front porch. Vote: Unanimous. Motion passed 5-0.
10. Fact-finding hearing and action on application by Bertha Glickman, 5532 Warwick Place, to install an emergency generator at the rear of the residence. Vote: Unanimous. Motion passed 5-0.

continued on page 9

11. Fact-finding hearing and action on previously Approved application submitted by Catherine Pickar, 4915 Dorset Avenue, to install an emergency generator at the residence. Applicant asked for Council's reconsideration because the previously requested an Approved 10 kilowatt generator did not produce enough power for the entire house and requested approval for a 14 kilowatt generator. Vote: Unanimous. Motion passed 4-0, Council member Pickar recused herself.
12. Action on reappointment of John Sullivan & Phyllis Wiesenfelder to the Town Board of Supervisors of Elections. Vote: Unanimous. Motion passed 5-0.
13. Action on resolution allowing Helping Hand use of the Town Hall for a "Social Hour" during power outages. Vote: Unanimous. Motion passed 5-0.
14. Introduction of amendment to Town of Somerset Code Chapter 2, Administration and Procedures, Section 2-402(i) allowing the Council to set the Journal advertising fee by resolution. The amendment will be introduced by Council member Shaul at the March 7 Council meeting.
15. Introduction of amendment to Town of Somerset Code Chapter 8, Protection of Trees, Section 8-204, establishing a fee to process and review tree permits. The amendment will be introduced by Council member Zeughauser at the March 7 Council meeting.
16. Introduction of amendment to Town of Somerset Code Chapter 4, Section 4-103, raising the amount of snowfall accumulation on sidewalks in front and on the side of properties when a Town contractor will remove the snow, from two to four inches. Based on extensive feedback from members of the community, the Council did not take any action.
17. Public hearing and action on amendment to Town of Somerset Code Chapter 5, Parks and Natural Resources Committee, Section 5-901 (a), (b), (c), (d). Vote: Pickar, Proctor, Shaul & Zeughauser in the affirmative, Farley in the negative. Motion passed 4-1.
18. Action on resolution calling for the Montgomery County Executive and the Montgomery County Council to continue to distribute income tax receipts from County residents who live in municipalities. Vote: Unanimous. Motion passed 5-0.
19. Mayor's report was presented to the body.
20. Action setting dates for nomination and election of three Council Members for two-year terms and adjusting voting hours. The Council set the date for nominating Council members to the three Council seats that are up for reelection to Monday, March 7, 2011 and setting the Town election date to Tuesday, April 5, 2011 and extending voting hours from 5-9:00 p.m. Vote: Unanimous. Motion passed 5-0.
21. Mayor's Report.
22. Adjournment-10:27 p.m.

Special Meeting – February 13, 2011

1. Town Attorney Norm Knopf called the special session. Council members Cathy Pickar, Marnie Shaul, and Barbara Zeughauser made up a quorum, and Clerk-Treasurer Josh Russin began the meeting at 3:00 p.m.; the Town Attorney attended by conference call.
2. Discussion concerned the need for the Council to authorize the Mayor to sign on the Town's behalf the Category One, Part II easement placed on Town property located by the pool house on 1.9 acres of land bounded by Lots 7 through 13 on Warwick Place. The granting of the easement to Maryland National Capital Park and Planning Commission (MNCPPC) has been a component of the pool house renovation project for a number of months. Authorization is required because the Town is agreeing to give up any rights to develop or make any improvements to the area.
3. The second item was approval of the Forest Conservation Plan for the pool house renovation site and authorizing the Mayor to sign documents pertaining to the Plan.
4. Council member Shaul moved to authorize the Mayor to sign the Category One, Part II easement with MNCPPC and the Forest Conservation Plan on the Town's behalf. Vote: Unanimous. Motion passed 3-0.
5. Adjournment-3:23 p.m.

continued on page 10

Special Meeting – February 13, 2011

1. The Town Council, with Council members Cathy Pickar, Marnie Shaul and Barbara Zeughauser composing a quorum, began the meeting at 9:30 p.m.
2. Council member Shaul called the special session at the request of the Town Attorney to discuss the need for the Council to authorize the Mayor to sign, on the Town's behalf, the stormwater easement placed on Town property located by the pool house. The granting of the easement to Montgomery County has been a component of the pool house renovation project for a number of months. Authorization is required because the Town is agreeing to allow the County access to the area.
3. Council member Shaul moved to authorize the Mayor to sign the stormwater easement with Montgomery County on the Town's behalf. Vote: Unanimous. Motion passed 3-0.
4. Adjournment–10:10 p.m.

Agenda: Special Council Meeting – February 22, 2011

Pool house renovation project–7:30 p.m.

1. Action on FY-11 Pool House Renovation Project to increase the budgets for the following services:
 - Project Management/Coordination Services: Authorize increased Pool Management budget from \$90,000 to \$107,000 to cover management services through project completion.
 - Civil Engineering Services: Authorize increase in Civil Engineering Services budget from \$93,500 to \$122,375, to cover VIKa's request for additional engineering services.
 - Architect Services: Authorize increase in Architect Services budget from \$240,000 to \$247,106.25, to cover architect firm McInturff's \$7,106.25 request for additional services.
2. Discuss and possibly approve proposal submitted by local security companies for the installation and monitoring of a security system at the pool house.

Additional topics subjects to be covered could include:

- Creek side railing/fencing
 - Comparison of project progress to project plan
 - Change order approvals
 - Recording costs and effect of change orders on timeline
 - Keeping track of the project's budget
 - Update on foundation and wading pool
 - Update on project completion date
3. Adjournment–8:30.

Permits Granted from page 6

Susan Schneider requested the removal of a 24" **weeping cherry**, located at **5508 Greystone Street**. Town Arborist recommended tree for removal. Tree is mature and beginning to deteriorate with cavities in the main trunk. Tree was also deemed hazardous.

Dumpster Permit

Walter Bastian requested use of a dumpster in their driveway at **5612 Warwick Place**. The permit expires on **February 23, 2011**. The Mayor can authorize the permit for an additional 30 days.

Fence or Wall Permits

Carlos Giovanni Nicolacci requested the installation of a **6' tall red cedar solid board and post fence** located at **4509 Dorset Avenue**. The permit expires on **January 20, 2012**.

Re-thinking Pool Guest Fees, Yet Again

By Cathy Pickar, Council member



The pool committee is recommending a revised policy regarding pool guest fees for the 2011 season.

The feeling is that last summer's trial policy created an **unfair** and **unenforceable** situation at the sign-in desk. At the end of last pool season, approximately **1,000 people** registered at the pool as temporary residents and were exempt from guest fees. Rather than engaging Town staff in a time-consuming and often difficult inquiry to find out if all 1,000 of the temporary residents registered are related or otherwise fit into the category, the committee feels it is fairer to recommend a change in the rule for the 2011 season.

The following paragraphs describe the proposed new policy.

All guest fees will be lowered to **\$2** from **\$3** per guest. As before, guests who are close relatives (**residents' children, grandchildren, parents, siblings, and in-laws**) who do not reside in Somerset, houseguests of a Somerset resident, and house sitters for a Somerset resident will still be paying guests, but can sign in without the resident present. The resident host must accompany all other guests.

This means that all people at the pool are residents or their guests. (*Residency is defined in the Town Code standard residency requirements.*) There will be no more guest fee exemptions—no more “extended guests” or “temporary residents.” Babysitters, unless they are live-ins and considered residents,

will pay guest fees. If a family has a babysitter accompanying their children to the pool every day for **90 days**, their fee would be **\$180** for the privilege of having a sitter at the pool. Likewise, a family member visiting for the summer pays the same to swim every day for **90 days**.

A second change involves **invoicing for guest fees**. Instead of sending monthly invoices to residents for guest fees owed, all residents will be required to pay their guest fees **in advance**, as in the earlier days of punch cards, and the credit will be entered into the **pool's registration software**. The guest fee will be charged against the balance, and the residents notified when their balance is close to zero.

Please consider these changes and let the Council know your thoughts by sending an email to council@townofsomerset.com, or by calling individual members of the Council. The budget will be voted on at the **May meeting**. Discussions regarding the budget will take place in March and April.



Tree Removal Permit Application Fee

By Barbara Zeughauser, Council member

According to the **Town Code, Chapter 8 Section 2-204**, residents must submit an application to the Clerk-Treasurer to remove and/or replace trees on

their property. Once an application is submitted, our Town Arborist, **Dr. Tolbert Feather**, is required to visit the site and submit a written report with a recommendation to the Town. This process takes Dr. Feather approximately one hour (at the rate of **\$85** an hour) and the Town currently covers the cost.

At the January Council meeting, **Josh Russin**, our Clerk-Treasurer, discussed with the Council the possibility of establishing a fee to cover the cost of Dr. Feather's time. Subsequently, at the February Council meeting, a **Code Amendment** was introduced to set a fee of \$85 for any application for a **Town of Somerset Tree Permit**. At the Council's next meeting in March, this Code Amendment will go to a vote. If it passes, the permit fee would go into effect **36 days** after signature.

As always, the Council is very interested in hearing from residents and their thoughts on this issue. Please email any comments to council@townofsomerset.com.

Tree Removal Permit



Preliminary Agenda

Regular Meeting of Town Council

Monday, March 7, 2011 – 7:30 p.m.

Regular Meeting of Town Council

1. Approve the minutes of the February 7, 2011 regular meeting – 7:30 p.m.
2. Approve the minutes of the February 22, 2011 special meeting – 7:33 p.m.
3. Discussion of five-year financial plan – 7:35 p.m.
4. Discussion of monthly Fiscal Year 2011 financial report – 7:55 p.m.
5. Update on pool house renovation project – 8:05 p.m.
6. Suggestions and questions from residents – 8:25 p.m.
7. Action on recommendation by Town Arborist to remove 14 Town trees, including four numbered Town trees and 10 unnumbered trees on Town property – 8:35 p.m.
 - #957, a dying American elm in Vinton Park near the corner of Wisconsin and Dorset Avenue;
 - #653, dying flowering cherry located at 5515 Trent Street
 - #655, dying flowering cherry located at 5515 Trent Street
 - #660, dying flowering cherry located at 5516 Trent Street
 - Dead 18" black locust located at 5402 Uppingham Street
 - Dead 6" black cherry located at 5411 Uppingham Street
 - Dead 6" ash located at 5513 Uppingham Street
 - Three 12" sycamores leaning over house and shedding limbs at 5522 Warwick Place
 - 18" American elm leaning and co-dominant located at 5527 Warwick Place
 - 20" tulip because of weaknesses in upper cavity and co-dominance, located at 5601 Warwick Place
 - 18" black locust because of decay in upper trunk located at 5609 Warwick Place
 - 30" tulip with split trunk located at 5615 Warwick Place
8. Fact-finding hearing and action on application by Alexis and Scott Carmer, 4817 Essex Avenue, to demolish existing house, install second curb cut, and construct new home including site appurtenances. Application includes the removal of thirteen trees, including 9" oak Town tree – 8:45 p.m.
9. Fact-finding hearing and action on application by Cindy Finn, 5524 Trent Street, to install an emergency generator at the left side of the residence – 9:05 p.m.
10. Fact-finding hearing and action on application submitted by Julie & Mark Oxley, 4515 Dorset Avenue, to install an emergency generator at the front of the house facing Dorset Avenue – 9:15 p.m.
11. Fact-finding hearing and action on application submitted by Thomas Ainora & Donald Buchanan, 5606 Warwick Place, to install an emergency generator in the rear of the residence – 9:25 p.m.
12. Fact-finding hearing and action on application submitted by Frederick & Rosemary Goodwin, 5712 Warwick Place, to install a generator at the rear of the residence – 9:35 p.m.



left to right: Council members Bill Farley, Barbara Zeughauser, Cathy Pickar, Vice President Marrie Shaul, Alan Proctor

continued on page 13

Preliminary Agenda *from page 12*

13. Action on proposed ordinance to Town of Somerset Code Chapter 8, Protection of Trees, Section 8-204, establishing a fee to process and review tree permits – 9:45 p.m.
14. Action on proposed ordinance to Town of Somerset Code Chapter 2, Administration and Procedures, Section 2-402(i) allowing the Council to set the Journal advertising fee by resolution – 9:55.
15. Action on Arbor Day proclamation – 10:15 p.m.
16. Mayor's report – 10:20 p.m.
17. Adjournment – 10:25 p.m.

This is a preliminary agenda prepared to meet the Journal press deadline, which typically is two weeks prior to the next Town Council meeting. During this period, there will likely be changes to the timing of items, and some items may be added or deleted. Please consult the bulletin board on the Town Hall porch or the Town website for the most up-to-date agenda.

Residents who wish to be present for a particular agenda item are advised to arrive 15 minutes ahead of the item's scheduled discussion time as discussions sometimes run ahead of schedule

Items marked * *have related articles inside this issue of the Town Journal.*